IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Group Art Unit 3661
Danny R. Milot	~
Serial No. 10/593,735) Confirmation No. 2813
Filed: July 9, 2008	Examiner Peter D. Nolan
For: METHOD AND APPARATUS FOR VEHICLE ROLLOVER MITIGATION	Attorney Docket 1-25152

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

DECLARATION UNDER 37 C.F.R. §1.131

Honorable Sir:

In accordance with 37 C.F.R. §1.131, I Danny R. Milot state:

- 1. I am the inventor of the subject matter of the above-identified application.
- 2. I conceived an invention in this country for an apparatus for detecting a rollover event for a vehicle and method for detecting a potential for a vehicle rollover, as claimed in presently pending Claims 1, 2, 4, 5, 7-9 and 15 as recited in an amendment being filed concurrently herewith in connection with the above-identified patent application prior to November 21, 2003, the filing date of the U.S. Patent No. 7,165,008 B2 to Choi, which was cited by the Examiner in the Official Action dated March 23, 2010.
- 3. That prior to November 21, 2003, the conception of my above invention was: (a) recorded in an invention record entitled "Rollover Mitigation Strategies Using Tire Load Information", a copy of which is attached hereto as Exhibit A, with only the dates removed therefrom; the invention record witnessed and dated prior to November 23, 2003; and (2) part of a presentation document labeled "Rollover Mitigation Strategies Using Tire Load Information", a copy of which is attached hereto as Exhibit

B, with only the dates removed therefrom, this presentation dated prior to November 23, 2003.

- 4. That the invention record of Exhibit A and the document of Exhibit B were transmitted by me in accordance with TRW patent policy procedure to TRW's outside patent attorneys, Mr. Mark Sobanski and Mr. Allen Inks, with a request to prepare and file a provisional patent application. A copy of the transmittal memorandum is attached as Exhibit C, with only the dates removed therefrom.
- 5. That following Mr. Allen Inks' receipt of the transmittal memorandum of Exhibit C, he and I were in contact with one another on numerous occasions to facilitate his preparation of a U.S. provisional patent application for a "Method and Apparatus for Vehicle Rollover Mitigation", filed on March 23, 2004. A copy of the Official Filing Receipt identifying the provisional patent application as U.S. Serial Application No. 60/555,480, having a filing date of March 23, 2004, is attached as Exhibit D.
- 6. That the application filed on March 23, 2004 and the Choi '008 patent were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.
- 7. That on March 23, 2005, a PCT patent application was filed for a "Method and Apparatus for Vehicle Rollover Mitigation", International Application No. PCT/US2005/010014, which claimed priority to and included the same specification as that of U.S. Provisional Application Serial No. 60/555,480, filed March 23, 2004. A copy of the cover page from International Publication No. WO 2005/095133 A1, of International Application No. PCT/US2005/010014, is attached as Exhibit E.
- 8. That on September 21, 2006, the above-identified application was filed under 35 U.S.C. 371, which claimed priority under 35 U.S.C. 120 to PCT/US2005/010014, filed March 23, 2005, and claimed priority under 35 U.S.C. 119(a)-(d) or 365(b) or 365(a) to U.S. Provisional Application Serial No. 60/555,480, filed March 23, 2004. A copy of the Official Filing Receipt identifying the utility patent application as U.S. Serial Application No. 10/593,735, is attached as Exhibit F.

- 9. That Exhibits A-F are true copies of the original documents, with only the date(s) removed therefrom on Exhibits A-C.
- That I believe the above facts establish conception of my invention prior to November 21, 2003, coupled with due diligence from prior to said date to the filing of the priority application in the above-identified application, namely U.S. Provisional Application Serial No. 60/555,480, filed March 23, 2004.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature Danny R. Milot Date 29 JVL 2010

EXHIBIT A



CONFIDENTIAL AND PRIVILEGE	D
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INVENTION DISCLOSURE FORM

DIRECTIONS

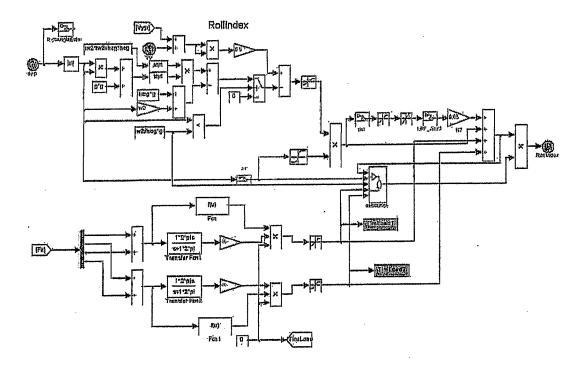
- 1. This form should be completed for any proposed new TRW product, algorithm, process or machine you believe may be an invention.
- 2. Complete this form as soon as possible after you have thought of your invention it is not necessary for the invention to have been prototyped or tested.
- 2. Attach any related drawings or other written material to this form.
- 3. This form should be reviewed, signed and dated by each inventor and a witness.
- 4. When completed, forward this form with any attachments to TRW's Patent Counsel, at the address shown on back.
- 1. Title of the invention Vehicle Rollover Mitigation Using Wheel Tire Load Information
- Date conceived (when the invention was first thought of) -
- Date of first sketch, written description, or drawing of the invention (Please attach copies) -
- 4. Date first disclosed to anyone —

 To whom? Ben Choi
- 5. Please state what features of the invention you consider to be new, and how the invention improves over previously known products or processes.

The use of tire load information for rollover mitigation enables the control algorithm to better estimate the potential for a wheel lift event and hence enable control to be initiated earlier. The phase lead and accuracy that the tire load information provides enables a more robust control algorithm to be developed. The attached presentation provides animation from a simulation run illustrating one of the primary benefits relative to robustness. For a vehicle with significant worn dampers (i.e. lightly damped vehicle), the inertial sensors do not correctly identify wheel lift and actuate the brakes in manner that causes the vehicle to roll over. The tire load information better informs the control as to what is physically happening and hence the vehicle is not "forced" into a rollover event.

6. Please attach sketches, drawings, flowcharts, memos or other descriptive material that illustrates or describes the present preferred and alternate versions of the invention. Please list below all materials that you have attached.

Attached presentation (slides 18 –23)
Figure below illustrates the specific function f(tire load) used in the simulation analysis



Provide the following information for each person who is believed to be an inventor and have each inventor and one witness, who understands the invention, sign and date at the appropriate places.
Signatures are not required for listed inventors who are not TRW employees.

INVENTOR Danny winds						
Home Address: 2366 Hickory Point Drive, Ann Arbor, Michiga	m 48105					
TRW location: Livonia, Ml. Tech 3.5						
Business Tel. 734-266-1480 Business Fax 734-266-1671						
Signature of Inventor Day Mile!	Date					
INVENTOR						
Home Address:						
TRW location:						
Business Tel Business Fax						
Signature of InventorI	Date					
INVENTOR						
Home Address:	•					
TRW location:	·					
Business Tel Business Fax	·					
Signature of Inventor I	Date					

WITNESSED AND UNDERSTOOD BYYuhong Zheng
Typed or Printed Name
The same of the sa
Signature of Witness Pate

Send to: Mark Sobanski
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Fax: (419) 255-9639



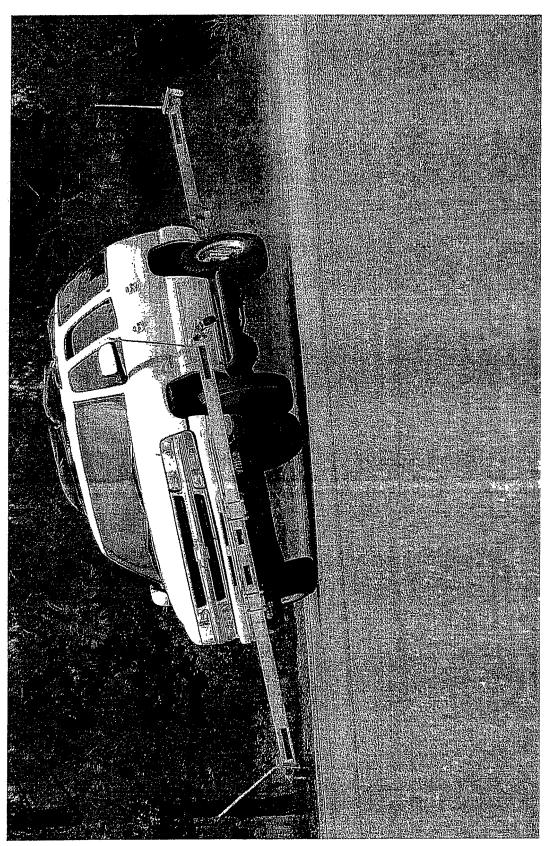
Dr. S. Ben Choi, Principal Engineer – Advanced Control Systems/R&D Dan Milot, Chief Engineer – Advanced Control Systems/R&D TRW Automotive - Chassis Systems

Agenda

- Overview of Rollover Problem
- · Overview of Conventional Methods for Rollover Mitigation
- Use of Tire Load Information for Rollover Mitigation
- · Conclusions / Q&A





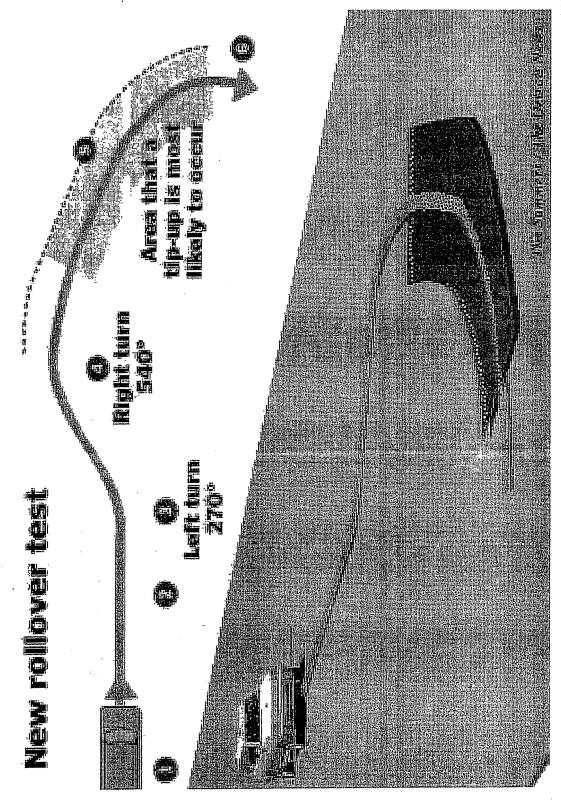


- people were killed as occupants of light vehicle rollover Fatality Analysis Reporting System (FARS) - 9,882 crashes (31% of total fatalities)
- 53% of light vehicle fatalities in single vehicle-vehicle crashes involved a rollover event (FARS)
- Studies have indicated that the majority (50%-80%) of single vehicle crashes is preceded by loss of vehicle handling stability
- NHTSA launched Multi Phase Vehicle Rollover Research Program
- o Focus of research is on-road, untripped, maneuver induced rollover characteristics



- NHTSA Light Vehicle Rollover Research Program
- untripped, maneuver induced vehicle rollover properties Multi-phased program focused on studying on-road,
- NHTSA announced its plan to include a vehicle measure of rollover resistance as an addition to the New Car Assessment Program (NCAP)
 - Measure is based on "Static Stability Factor" (SSF)
- NHTSA expects that this will motivate the design and development of safer, more stable vehicles
- NHTSA issued first static five-star rollover January rating
- NHTSA issued new dynamic rollover testing document to augment SSF rating November







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IN

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- manufacturers in N.A. to focus on solutions to improve Rule making by NHTSA, mandated by the TREAD Act, and greater consumer awareness have driven vehicle the vehicle safety related to rollover.
- passenger vans) tend to be primary focus smallest SSF and largest percentage of rollover fatalities. High center of gravity vehicles (e.g. SUVs, large

Conventional Methods for Rollover Mitigation

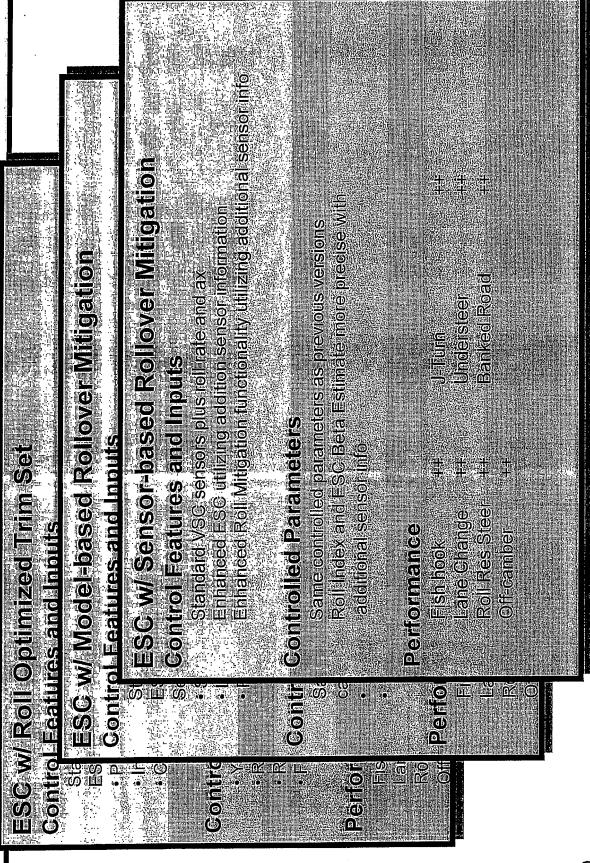
- lateral acceleration- electronic stability control, active Differential braking to induce understeer and limit roll management
- Critical lateral acceleration
- Wheel lift detection
- Roll rate (roll angle)
- Roll energy
- Suspension based systems
- Active roll control
- Active damper control
- Steering based systems
- Active front steer (steering angle overlay)
- Four wheel steering (active rear steer)

All Methods Use Vehicle Inertial Based Sensors

FRW Automotive Private/Proprietary



Differential Braking Rollover Mitigation

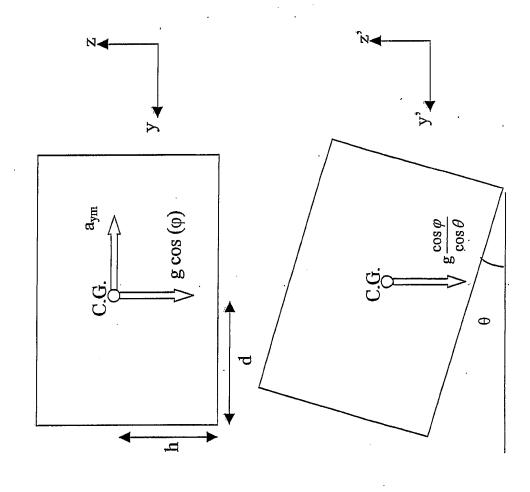


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Rollover Mitigation - Control System

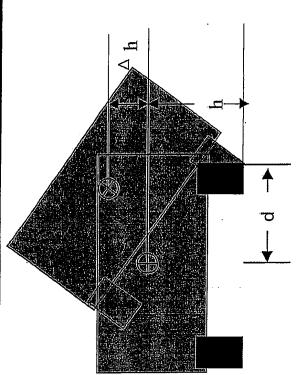
- Energy Based Model

 Nomenclature
- y, z are CG fixed axes
- φ is the roll angle of sprung mass + superelevation of the surface
- $tan(\theta) = a_{ym}/gcos(\varphi)$
- z' axis is parallel to net force acting on sprung mass



Rollover Mitigation - Control System

- Energy Based Model Theory
- Δh·g cos(φ)/cos(θ) = potential energy change required to "lift" the CG to the roll over point



Lateral kinetic energy $\Rightarrow \frac{1}{2}v_x^2 = \frac{1}{2}(v_x\beta)^2$

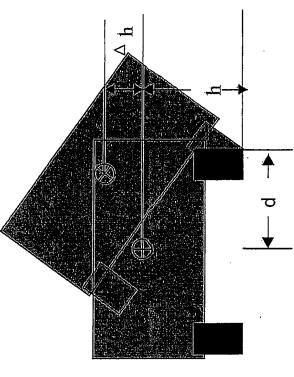
$$\Phi_0 = \frac{1}{2} (v_x \beta)^2 - \Delta h \cdot g \cos(\phi) / \cos(\theta) - Rollover Potential Index$$

where
$$\Delta h = \sqrt{d^2 + h^2} - \frac{da_{ym} + hg}{\sqrt{g^2 + a_{ym}^2}}$$

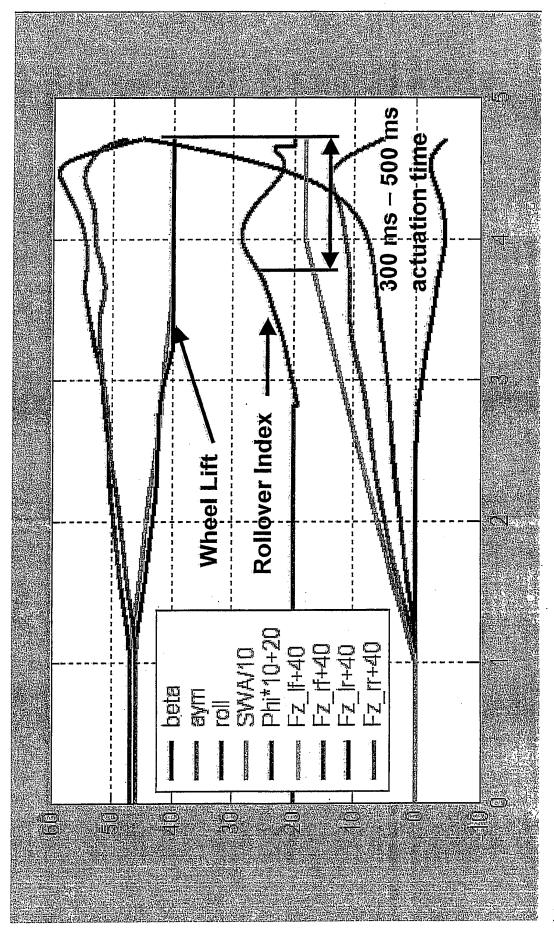
Rollover Mitigation - Control System

$$\Phi_0\left(\left|\left|a_{ym}\right| - \frac{d}{h}g \cdot 0.8\right| > 0$$

- Inputs to the estimation algorithm:
- aym Measured Lateral Acceleration
- **B** − Vehicle Side Slip Angle Estimate
- h Nominal CG Height
- d Track Width/2

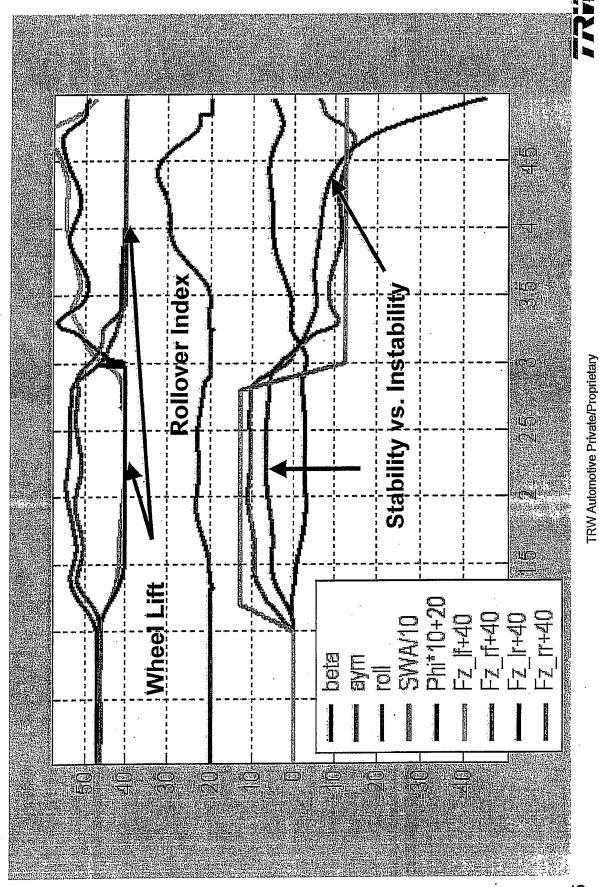


Simulation of J-Turn at 65 kph

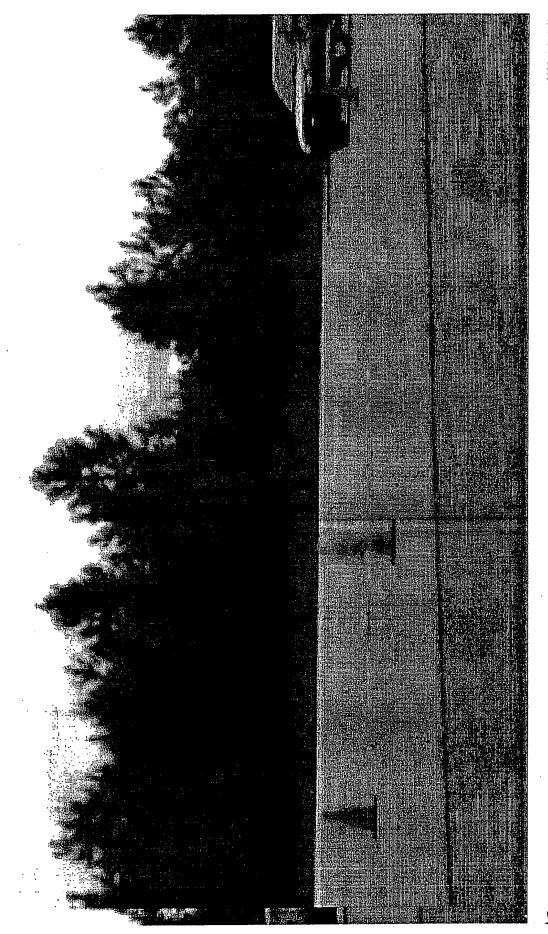


IXI

Simulation of Lane Change at 65 kph



Rollover Mitigation Control





Why Tire Load ???

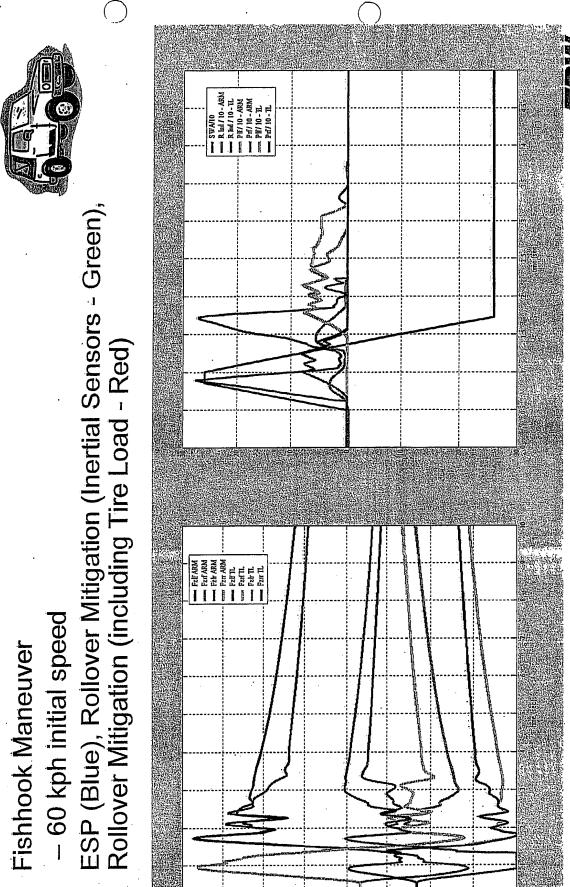
- Several Performance Improvement Areas
- Loading variation (CG location shift)
- Multiple vehicle platforms (SUVs, passenger vans, pickup trucks)
- Tire property changes (surface conditions, tire size and type)
- Actuation and brake load variation
- Superelevation effects
- Potential Infrastructure Available to Perform Sensing
- TREAD Act legislation for "pressure sensing"
- Increased safety concerns driving desire for tire property information



Tire Load Based Rollover Mitigation

- $\Phi_0\left(\left|\left|a_{ym}\right| \frac{d}{h}g \cdot 0.8\right| > 0\right) + f(F_{z_1..4})$ Rollover Index (Ф) =
- $F_{z_1...4}$ = measured tire normal load (could also be implicitly estimated by tire based measurement)
- f() is a function that provides further control lead for identifying an impending wheel lift condition

Simulation Results and Analysis



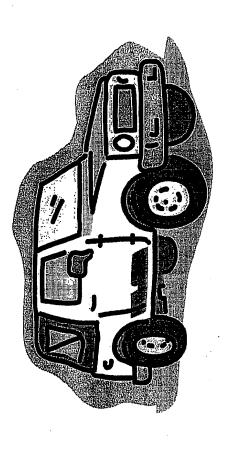
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Simulation Results and Analysis

Sinusoidal Steering Input w/ Low Damping Vehicle

 $-V_{x0} = 120 \text{ kph}$

- SWA = $\pm 120^{\circ}$ 0.5Hz



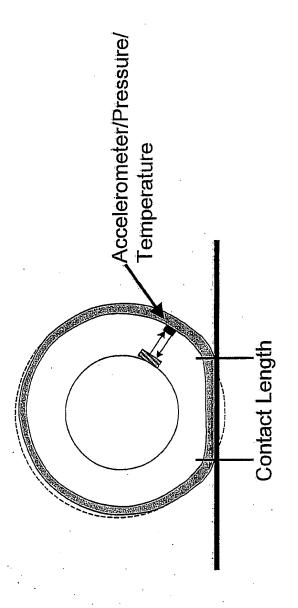
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Tire Load Benefits

- based sensors with similar performance for rollover Tire load information can be used instead of inertial mitigation control
- Tire load information can be used to identify wheel lift that is not observable through inertial based sensing
- Tire load information improves system robustness compared to pure inertial based sensing

Example Tire Load Sensing Implementations

- In-tire wheel accelerometer (radial/tangential) to estimate contact patch length
- Tire pressure sensor
- Product of the two sensor outputs computes tire load





Conclusions

- Vehicle rollover is an increasing safety concern receiving significant attention by VMs and end customers
- NHTSA instituting NCAP rollover vehicle rating (SSF + dynamic testing)
- sensor based control to compensate for delays in actuation Tire load information beneficial in providing lead for inertial
- Higher achievable vehicle speeds with better trajectory tracking
- Requirements for tire load information being investigated



Conclusions (cont.)

Collaboration between tire manufacturers successfully develop an integrated tire (e.g. Goodyear) and chassis system load sensing based chassis control suppliers (e.g. TRW) is required to system product.





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From: To: Date:

Danny Milot

inks@mstfirm.com, Mark Sobanski-contr

4:51 PM

Wednesday -

Mark and Allen:

The attached invention disclosure and attached presentation need to be covered reasonably quickly with a provisional application to cover the material being presented on: ". Please let me know what additional tasks I need to complete to help with the process.

Thanks

Dan Milot

Danny Milot Chief Engineer - ACS NPNA TRW Automotive - Chassis Systems

office phone: 734.266.1480 mobile phone: 734.709.2759 734.266.1671 email: Danny.Milot@trw.com



United States Patent and Trademark Office

EXHIBIT D

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. DOS 1450 Alexandria, Vigania 22313-1450 vivolumentum

 APPL NO.
 FILING OR 371 (c) DATE
 ART UNIT
 FIL FEE REC'D
 ATTY.DOCKET NO
 DRAWINGS
 TOT CLMS
 IND CLMS

 60/555,480
 03/23/2004
 160
 1-25152
 6

BY FILE THE

Shital A. Shah MacMillan, Sobanski & Todd One Maritime Plaza, Fourth Floor 720 Water Street Toledo, OH 43604 **CONFIRMATION NO. 2947**

FILING RECEIPT

OC000000012752255

Date Mailed: 05/24/2004

Receipt is acknowledged of this provisional Patent Application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Danny R. Milot, Ann Arbor, MI:

If Required, Foreign Filing License Granted: 05/22/2004

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

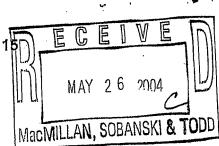
Early Publication Request: No

Title

Method and apparatus for vehicle rollover mitigation

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED



The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization International Bureau



(43) International Publication Date 13 October 2005 (13.10.2005)

PCT

(10).International Publication Number WO 2005/095133 A1

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- B60G 17/015,
- (21) International Application Number:

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- (22) International Filing Date: 23 March 2005 (23.03.2005)
- (25) Filing Language:

English

(26) Publication Language:

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(30) Priority Data: 60/555,480

23 March 2004 (23.03.2004) US

- (71) Applicant (for all designated States except US): KELSEY-HAYES COMPANY [US/US]; 12000 Tech Center Drive, Livonia, MI 48150 (US).
- (72) Inventor; and
- (75) Inventor/Applicant (for US only): MILOT, Danny, R. [US/US]; 2366 Hickory Point Drive, Ann Arbor, MI 48105 (US).
- (74) Agent: SHAH, Shital, A.; MacMillan Sobanski & Todd LLC, One Maritime Plaza, 4th Floor, 720 Water Street, Toledo, OH 43604 (US).

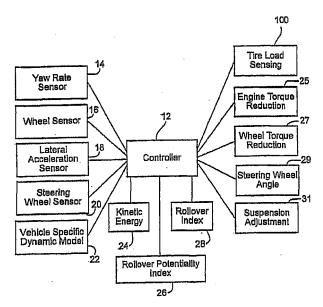
- (81) Designated States (unless otherwise indicated, for every kind of national protection available): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (84) Designated States (unless otherwise indicated, for every kind of regional protection available): ARIPO (BW, GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG, ZM, ZW), Burasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), Buropean (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LT, LU, MC, NL, PL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

Published:

- with international search report
- before the expiration of the time limit for amending the claims and to be republished in the event of receipt of amendments

[Continued on next page]

(54) Title: METHOD AND APPARATUS FOR VEHICLE ROLLOVER MITIGATION



(57) Abstract: A method is provided for detecting a rollover event of a vehicle. A lateral kinetic energy of the vehicle is determined in response to vehicle longitudinal velocity and vehicle side slip angle. A lateral acceleration of the vehicle is measured. A tire normal force is measured. A rollover potentiality index is determined in response to the lateral kinetic energy and the lateral acceleration. A rollover index is determined by weighting the rollover potentiality index by a factor of the lateral acceleration and by a factor of the tire normal force. A comparison is made to determine if the rollover index is above a predetermined threshold.

5/005133 A1



UNITED STATES PATENT AND TRADEMARK OFFICE

Unitied States Department of COMMERCE United States Patent and Trademark Office Address: CoMMISSIONER FOR PATENTS P.O. Rox 1450 Alexandria, Virginia 22313-1450 www.unitegov

APPLICATION NUMBER	FILING or 371(c) DATE	GRF ART UNIT	fil fee rec'd	ATTY,DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/593,735	07/09/2008	2837	1030	1-25152 CONF	15 IRMATION	.2 NO. 2813

FILING RECEIPT

46582 MACMILLAN, SOBANSKI & TODD, LLC ONE MARITIME PLAZA - FIFTH FLOOR 720 WATER STREET TOLEDO, OH 43604



Date Mailed: 08/04/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

Applicant(s)

Danny R. Milot, Ann Arbor, Mi;

Assignment For Published Patent Application

KELSEY-HAYES COMPANY, Livonia, MI

Power of Attorney: The patent practitioners associated with Customer Number 46582

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/US2005/010014 03/23/2005

which claims benefit of 60/555,480 03/23/2004

Foreign Applications

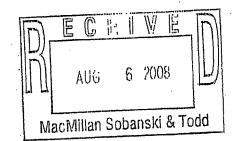
If Required, Foreign Filing License Granted: 07/31/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US 10/593,735

Projected Publication Date: 11/13/2008

Non-Publication Request: No

Early Publication Request: No



Title

Method and Apparatus for Vehicle Rollover Mitigation

Preliminary Class

318

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and quidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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